

TO THE HOUSE AGRICUTURAL COMMITTEE:

RE: SB 299-AN ACT CREATING A CIVIL PENALTY FOR TRESPASS TO PROPERTY; PROVIDING THAT A CRIMINAL CONVICTION FOR TRESPASS TO PROPERTY IS NOT REQUIRED.

POSITION: Montana Sportsmen's Alliance hereby goes on record **OPPOSING** this bill based on the following reasons:

- A minimum fine of \$1500 is punitive in nature and not consistent with currently proposed legislation establishing a new fine system for trespassing.
- A civil trespassing penalty, in the absence of a conviction for trespassing, is unreasonable and since there is no legal proof that a trespass occurred.
- Allowing "photographic evidence of the actions provided for in subsection (1) is prima facie evidence" is ludicrous. With today's technology thru photo shop and other photo programs, photos are easily altered. What proof will there be that the photo was actually even taken on private land??
- This bill does not establish any fine system for those who post public land, or land that they do not have the authority to post, in an attempt to keep the public off lands that they are entitled to hunt on. Where is the fairness?

Once again we would like to state our **OPPOSITION** for SB 299

Montana Sportsmen Alliance Leadership Group